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Held at the Palais Wilson, Geneva, on Tuesday, 18 March 2014, at 10 a.m.

Chairperson: Mr. Decaux

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The meeting was called to order at 10 a.m.

Consideration of reports of States parties to the Convention (*continued*)

Report of Germany (continued) (CED/C/DEU/1; CED/C/DEU/Q/1 and Add.1)

1. *At the invitation of the Chairperson, the members of the delegation of Germany took places at the Committee table.*

2. **Ms. Bender** (Germany) said that a number of mechanisms had been established to ensure the impartial investigation of complaints filed against police officers; such mechanisms varied, depending on whether the accused was a member of the Federal Police or 1 of the 16 state police forces. In the former case, the primary mechanism was an independent complaints office, but complaints could also be submitted to the public prosecution service or to the central complaints unit in the office of the Federal Police president. A complaint against an officer of a state police force could be filed with a special independent commission, the complaints unit of the Parliamentary Petitions Committee or the complaints unit of the Federal Ministry of the Interior. The federal states, or Länder, were currently discussing updated procedures for conducting independent inquiries into police misconduct. In all cases, it was acknowledged that the police force to which the accused belonged must not be involved in the investigation of a complaint against that officer.

3. **Mr. Boehm** (Germany) said that, in section 7 (1), No. 7, of the Code of Crimes against International Law (*Völkerstrafgesetzbuch* – VStGB), the words "upon request" had been added for purely practical reasons to the definition of enforced disappearance as a crime against humanity, which was otherwise in conformity with that of the Rome Statute. Since part of the definition included abducting or otherwise depriving a person of his or her physical freedom, followed by a refusal to give truthful information about that person's whereabouts, it was necessary to furnish tangible proof of such refusal. The problem had been resolved by including the requirement that such information must be provided upon request, with failure to do so constituting tangible proof of refusal.

4. **Mr. Corcuera Cabezut** asked whether, in keeping with article 12, paragraph 1, of the Convention, the protection offered to witnesses in Germany extended to the victim's relatives, counsel and any other persons participating in the investigation.

5. The State party's replies to the list of issues (CED/C/DEU/Q/1/Add.1) seemed to indicate that the Federal Government considered that the circumstances of an enforced disappearance were covered by section 60, subsections (1), (2) and (7), of the Residence Act; if that was so, it was unclear why Germany had entered a declaration in respect of article 16 of the Convention. If the declaration was withdrawn, would the German administrative and judicial authorities be able to apply article 16 of the Convention directly, without regard to section 60 of the Residence Act, and in line with the *pro homine* principle contained in article 37 of the Convention? Additionally, could all the provisions of the Convention be applied directly, at both the federal and state levels, by all administrative and judicial authorities?

6. He wished to know what measures the Government had taken to give effect to both the recommendation and the decision of the Committee against Torture that had been addressed to the State party on the subject of diplomatic assurances. He wondered whether Germany accepted diplomatic assurances in the context of an extradition; what legal mechanisms were covered by article 60, subsections (1), (2) and (7), of the Residence Act; and whether article 60 covered extradition or concepts other than deportation or expulsion. He also wished to know whether, before proceeding to an extradition, expulsion or deportation, the relevant authorities always carried out an individual risk assessment; whether a decision to expel a person could be subject to appeal or other similar review; and,

if that was the case, whether such appeals had suspensive effect. What measures had been taken by Germany to adapt its legislation to the Dublin III Regulation in relation to appeals of expulsion procedures? Could authorities in the Länder expel foreigners, or was that exclusively a federal faculty?

7. **Mr. Al-Obaidi** asked what measures were taken at all levels to verify on a regular basis the accuracy of registers of persons deprived of their liberty, and what sanctions were applied when such requirements were not met. He enquired whether the family of a detained person had the right to be informed of the detention during the period from the time of the arrest to the hearing before a judge. He wished to know the provisions of German law pertaining to incommunicado detention, including the circumstances in which such detention could be ordered and whether the family members of the detained person were informed in the event of such an order. He requested information on the specific training imparted to civilian and military personnel in accordance with article 23 of the Convention.

8. He asked whether Germany intended to adopt the implementing legislation needed to comply with articles 24 and 25 of the Convention. With regard to the declaration made by the State party in respect of article 24, paragraph 4, of the Convention, he would like to have clarification of the statement contained in paragraph 79 of the replies to the list of issues. In particular, he sought examples of circumstances in which "allowing a recourse to be taken to the [German] courts" could "lead to complaints being filed with the German courts directed against the actions taken by other States ...". What alternative measures could the State party contemplate in order to ensure that the right of reparation of victims, as set out in article 24, was fully guaranteed in the event that Germany was confronted with an issue of the jurisdictional immunity of the State?

9. He wished to know whether family members and other persons close to the disappeared were considered victims and were entitled as such to the rights accorded to victims under the Convention and German civil and criminal law. He invited the delegation to elaborate on the concept of victim compensation: was it equivalent to the concept of comprehensive reparation set out in article 24, paragraphs 4 and 5, of the Convention? What was the scope of compensation under German law and which authority was responsible for providing compensation or comprehensive reparation? Given the absence of specific provisions governing the legal status of disappeared persons in national legislation, he would be interested to know what effects were produced by the application of provisions on missing persons, especially in relation to insurance, credit, mortgage loans and banking. He asked whether family members of disappeared persons had to wait for the issuance of a declaration of death in order to settle such matters.

10. **Mr. Camara** requested an explanation of the statement made in paragraph 111 of the State party report to the effect that a foreign national in pretrial detention could communicate orally and in writing with the consular representation of his country of origin unless the court ordered otherwise. He asked whether German law specified the circumstances in which a foreign national in pretrial detention was prevented from communicating with his or her consular representative, or whether that matter was left to the discretion of the courts. Had there been any cases in which a foreign detainee had not been allowed to communicate with his or her consulate?

11. With regard to the definition of victim that was set out in national legislation, he wished to know whether juridical persons, such as human rights organizations, or a group of persons, such as a victim's family, could be granted legal standing before a court of law as the victim of an enforced disappearance.

12. **Mr. Garcé García y Santos** asked whether the restrictions imposed for security reasons on the rights of persons deprived of liberty, discussed in paragraphs 111 to 115 of

the report, were imposed exclusively by a judicial, as opposed to an administrative, authority. He wished to know what criteria were used in imposing such restrictions; whether they were based on direct contact with the prisoner or on reports prepared by administrative authorities; and whether it was the rule or the exception for the court ordering the restrictions to have direct contact with the person who was subject to such restrictions.

13. He asked whether the State party had adopted laws or regulations governing the procedures to be used in detention centres for asylum seekers, to which reference had been made in paragraph 117 of the report. If that was the case, what rank did such laws hold in the hierarchy of the national legal framework?

14. He would appreciate additional information on the national preventive mechanism: whether it monitored the imposition of restrictions on the right to communication of persons deprived of liberty; whether its budget was provided for by law; how many persons it assigned to direct inspection tasks; and how many inspections it had carried out in 2013.

15. **Mr. Hazan**, referring to the State party's declaration in relation to article 24, paragraph 4, of the Convention, and the Judgment of the International Court of Justice in the case concerning *Jurisdictional Immunities of the State* (*Germany v. Italy: Greece intervening*), asked whether any form of reparation had been granted to the Italian victims identified in that case, the Judgment of the Court notwithstanding. In general, he would like to know whether other forms of reparation besides compensation were available to victims of enforced disappearance; whether the Government implemented reparation policies to benefit victims of enforced disappearances that had been committed during the Holocaust; and, if so, whether such policies focused on preservation of the national memory, recognition of the victims and guarantees of non-repetition.

16. With regard to paragraph 81 of the State party's replies to the list of issues, he requested details as to how the provisions of the German Criminal Code dealing with the unlawful acts described in article 25, paragraph 1 (a), of the Convention, which related to the enforced disappearance of children, were invoked in the courts. Specifically, he wished to know whether those provisions of the Code were applied individually to a single act of enforced disappearance, with punishment for the act determined on the basis of the most serious of the penalties attaching to the constituent elements of the offence, or whether they were applied collectively, with the penalties being cumulative.

17. With regard to paragraph 84 of the State party's replies, which concerned the annulment of adoptions in cases in which the rights of the child were not respected, he wished to know whether an adult whose adoption as a child had originated in an enforced disappearance could apply for an annulment of the adoption in order to recover his or her true identity. He asked whether the conduct of persons who hid or kept a kidnapped child with knowledge of the child's true identity was punishable under the Criminal Code. One of the most well-known examples of such practices was that of the many children who had disappeared from El Salvador during the civil war in that country. The human rights organization Asociación Pro-Búsqueda de Niños y Niñas Desaparecidos had located more than 300 children, but its efforts in Germany had not yielded any results.

18. **Ms. Janina** said that the wording of the State party's interpretative declaration made in respect of article16 of the Convention risked raising the threshold for demonstrating the probability of a person being subjected to enforced disappearance and, hence, for applying the prohibition of non-refoulement. According to the State party's declaration, the prohibition of non-refoulement applied only if an individual faced a "real risk" of being subjected to enforced disappearance. That contrasted with the language used in article 16 of the Convention, which stipulated that no State party could return a person to another State where there were "substantial grounds" for believing that he or she would be in danger of

being subjected to enforced disappearance. She would like to hear the delegation's views on whether its declaration was consistent with article 16 of the Convention.

19. She would like to know the number of cases in which the State party had accepted diplomatic assurances since the entry into force of the Convention; whether such assurances had been used in the context of enforced disappearances; and which monitoring mechanisms were implemented by the State party following its acceptance of diplomatic assurances.

20. Lastly, she wished to know the delegation's views as to whether the position presented by the State party in its report and its replies to the list of issues was sufficient to satisfy its obligations under article 25 of the Convention.

21. **Mr. López Ortega**, referring to article 24, paragraph 5 (d), of the Convention, said that the main guarantee of non-repetition with regard to crimes of enforced disappearance was the existence of the rule of law. The strengthening of the rule of law, in turn, depended on a number of factors, including the adoption of measures to ensure that crimes committed under a previous dictatorial regime were effectively prosecuted and that the perpetrators or collaborators with those regimes were excluded from public office.

22. The information provided by the State party revealed that the prosecution of crimes committed during the German Reich had not begun until the 1960s, had been limited to crimes of murder and, in many cases, had resulted in disproportionately light penalties. An explanation of that situation had been advanced by the scholar Hannah Arendt, who had suggested that the catalyst for the prosecution of those crimes by the German courts had been the abduction and subsequent trial in Israel of the Nazi war criminal Adolph Eichmann. Until that trial, many former officials of the Reich had been living peacefully in other countries and even in Germany, some not finding it necessary even to change their names. Yet despite the number of trials conducted, the penalties imposed on those responsible — some for the deaths of hundreds of thousands of persons — had been derisory. In 1996, the Federal Ministry of Justice had noted that the 106,178 individual cases that had been investigated in Germany since 1945 had resulted in 6,984 unreversed convictions. Arendt had attributed the awarding of so many disproportionately light sentences to the fact that not enough members of the judiciary had been dismissed after the fall of the Reich; indeed, at the end of the 1950s and beginning of the 1960s, the Adenauer Government had dismissed some 480 judges, who represented a mere 10 per cent of the judicial bench.

23. A different situation had prevailed in the German Democratic Republic, where after the fall of the Berlin Wall in the 1990s at least half of all judges had been relieved of their functions, as had many public administrators and civil servants. The prosecution of crimes committed by low-ranking officials during that same period had also yielded meagre results in terms of punishment. Of the some 23,000 investigations carried out, only 560 cases had been brought to trial, and only 20 had led to a prison sentence. It remained unclear how many cases of enforced disappearances had been committed in the German Democratic Republic during the period of Soviet occupation and control, and, of those, how many had been prosecuted.

24. Upholding the rule of law implied, inter alia, ensuring the non-repetition of enforced disappearances, particularly during crises or states of emergency. Yet it had emerged from the dialogue that genuine preventive measures along those lines had not been implemented in the State party. A report by the European Parliament pointed to more than 300 suspicious flights through German airports between 2001 and 2005, to the illegal transport of detainees to United States military bases in Germany for interrogation, and to assistance provided by German officials in interrogating detainees at Guantanamo Bay detention camp. He would

welcome the views of the delegation on the need to adopt measures to ensure that such activities were not repeated.

25. **Mr. Yakushiji** said that the State party's interpretative declaration in respect of article 24, paragraph 4, of the Convention, clarified that the referenced provision did not abrogate the principle of State immunity. He asked whether that declaration covered all *acta iure imperii* of a foreign State, even where an act of enforced disappearance was committed by the agents of a foreign State within the territory of Germany and where the conditions for enjoying the immunity set forth in article 12 of the United Nations Convention on Jurisdictional Immunities of States and Their Property had been met. He invited the delegation to explain the scope of the State party's declaration in respect of that article.

26. The State party's replies emphasized that Germany had entered an interpretative declaration and not a reservation to article 24, paragraph 4. As such, the declaration did not purport to exclude or modify the legal obligations established by the Convention. He asked whether that meant that the interpretation adopted by Germany could change if the European Court of Human Rights or the Committee should adopt a different interpretation of the scope of State immunity.

The meeting was suspended at 10.50 a.m. and resumed at 11.15 a.m.

27. **Ms. Wittling Vogel** (Germany) said that the provisions of the Convention were fully incorporated into German legislation and, accordingly, could be directly applied by all authorities and in all courts in Germany, both at the federal and Land levels.

28. **Mr. Behrens** (Germany) said that the declaration made by Germany regarding article 16 of the Convention was an interpretative declaration aimed at translating the language of the Convention into national law. Its withdrawal would make no difference in practice, as deportation or extradition would still be prevented if there were substantial grounds for believing that a person would be in danger of being subjected to enforced disappearance in the State concerned.

29. Germany applied the standards established by the European Court of Human Rights in respect of diplomatic assurances, according to which such assurances were fully acceptable subject to certain conditions. It disagreed with the position of the Committee against Torture, which rejected all diplomatic assurances. He pointed out that diplomatic assurances were no longer accepted in the State party in cases of deportation and were in fact accepted only in extradition cases. Before the Committee against Torture had declared the case *Abichou v. Germany* admissible, the same case had been brought before the European Court of Human Rights, which had declared it inadmissible.

30. **Ms. Ley** (Germany) noted that witness protection programmes were available to victims participating in proceedings and also to their family members, if they received threats.

31. **Ms. Bender** (Germany) said that section 60 of the Residence Act regulated only the prohibition of deportation. Its subsection 4 nevertheless stated that if an extradition request was submitted by a State, deportation to that State was permissible only with the approval of the authority responsible for approving extradition. A comprehensive individual risk assessment involving a hearing at the Federal Office of Migration and Refugees was systematically carried out before proceeding with deportation or extradition. All decisions were subject to appeal with suspensive effect, pursuant to Regulation No. 604/2013 of the European Parliament and of the Council (Dublin III), and the Federal Government had amended the Asylum Procedure Act with a view to the entry into force of that Regulation in early 2014. The Länder were responsible for implementing the Residence Act and for organizing deportations.

32. **Ms. Scherer** (Germany) said that all entries made in the registers referred to in the written replies to the list of issues were duly monitored and that non-compliance with those requirements resulted in the imposition of penalties such as disciplinary measures and salary cuts.

33. **Ms. Ley** (Germany) confirmed that arrested persons had the right to inform their relatives or a third party of their arrest, in accordance with the Code of Criminal Procedure. The same principle applied to remand detention. Incommunicado detention was therefore illegal and did not exist in Germany.

34. **Ms. Scherer** (Germany) said that the training of public officials on the principles of the Convention or on its legal basis fell within the remit of the Länder. Provision for such training was made in the country's Basic Law.

35. The situation with regard to the specific issues raised in article 25 of the Convention remained unchanged since Germany had submitted its written replies, and there was therefore no need to take any legislative measures in that regard or in respect of the various forms of reparation referred to in article 24.

36. **Ms. Behrens** (Germany) said that the principle of State immunity did not by any means exempt officials from their responsibilities, and she drew attention in that connection to the explanation Germany had provided in paragraph 79 of its written replies.

37. **Ms. Scherer** (Germany) explained that in German legislation, liability for reparation did not rest with individual State agents involved in an enforced disappearance but with the State itself. There was also a requirement to ensure the rights of victims, in accordance with article 24 of the Convention. Reparation took the form of financial compensation and the return of the victim to the status quo ante. Either the federal authorities or the Länder could be responsible for awarding compensation, depending on the level at which the acts had been perpetrated.

38. **Ms. Wittling Vogel** (Germany), referring to the legal status of victims of enforced disappearance whose fate had not been clarified and the repercussions for family members in terms of legal and financial transactions, said that there were no specific legal provisions governing cases of enforced disappearance, since there had been no known cases of enforced disappearance to date in Germany. If a case did arise, the general legal provisions relating to missing persons would apply, and if several cases occurred, specific legal provisions would no doubt be developed.

39. **Ms. Ley** (Germany) said that there was an obligation to inform consulates of the arrest of any of their citizens. Free communication between an arrested person and his or her consular representatives must be allowed unless, subject to very strict conditions, the court stipulated otherwise, namely if the purpose of detention would otherwise be jeopardized. That would be the case if the person was suspected of being a member of a terrorist organization and might continue his or her terrorist activities from prison. Written communications with a detainee's counsel could also be monitored if required. Moreover, restrictions could be imposed if it was felt that suspects might try to influence victims or witnesses from their place of detention. At the time of arrest, detainees were informed of those restrictions, which could be rescinded if no longer considered necessary.

40. **Ms. Wittling Vogel** (Germany) said that while criminal and civil law tended to consider that victims were natural persons, it was possible for a group of persons — such as an association defending the rights of a victim of enforced disappearance — to be granted the status of victim in legal proceedings, depending on the nature of the individual case. That practice was frequent at the European Court of Human Rights.

41. **Mr. Behrens** (Germany) said that both the national preventive mechanism and the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or

Punishment had free access to all detainees. Detention facilities fell under the authority of either the federal authorities or the Länder, although the large majority of prisons and psychiatric institutions were the responsibility of the Länder. There was a cooperation agreement between the Länder parliaments, and funding was guaranteed through an administrative agreement between the Federal Government and the Länder. There had recently been improvements in funding, and negotiations were under way with a view to securing further improvements. Some 50 visits had been carried out to places of detention in 2012.

42. **Ms. Wittling Vogel** (Germany) said that her delegation was not currently in a position to provide an answer to the question raised with regard to adoption and its possible annulment, but would submit a written reply on the subject.

43. **Ms. Mielenz** (Germany) said that elements of a crime that could come into play in the case of the enforced disappearance of a child included the abduction of minors, unlawful deprivation of liberty of minors, kidnapping with extortion, the sale of children, falsification of a child's identity in official registers, and the death of or infliction of bodily harm on a child after an abduction or during detention. The most severe punishment provided for by law was applied in such cases, and every individual offence perpetrated was taken into account in handing down a sentence.

44. Other elements of a crime that could come into play in the case of an enforced disappearance included concealment of an unlawful deprivation of liberty that was still ongoing, the deriving of benefits from an offence, the provision of assistance in avoiding prosecution or punishment, and perversion of justice.

45. **Mr. Boehm** (Germany) said that the Federal Court of Justice had deplored as long as 20 years ago that the crimes committed during the National Socialist regime had not been dealt with appropriately. The system of justice had failed, and there was no excuse for that. The necessary conclusions had to be drawn.

46. After the Second World War, Hannah Arendt had supported the efforts of German civil society to identify the perpetrators. In practice, however, the task undertaken by civil society had proven extremely difficult, largely owing to the lack of visibility of the criminals, many of whom had been perceived to be "ordinary" individuals. That did not justify the unsatisfactory outcomes achieved but provided some contextual background on the subject.

47. The 1,600 cases of crimes committed during the National Socialist regime that had been prosecuted by 1994, as cited by the Federal Ministry of Justice, referred only to cases administered by the central federal authority established for the prosecution of crimes committed outside Germany. It did not include the far larger number of crimes committed inside Germany, which fell within the jurisdiction of the Länder. The total number of prosecutions that fell within the jurisdiction of the central federal authority had risen to 7,485 by December 2011, as indicated on its website, and the authority was continuing its work.

48. The role played by the judicial system and by other institutions in past war crimes was taken into consideration in remembrance culture in Germany. During the 1990s, historians had investigated the responsibilities of certain officials who had worked under the Reich Ministry of Justice and had continued their functions in the succeeding Federal Ministry of Justice. A follow-up programme to research the history of the Ministry was currently being carried out.

49. **Ms. Wittling Vogel** (Germany) said that Germany acknowledged its shortcomings with regard to its efforts to address the past. At present, it sought to strengthen the rule of

law and shape a civil society that would speak out against such crimes to stop them from happening again.

50. **Ms. Bender** (Germany) said that the Human Rights Watch *World Report 2014* alleged that deportations of persons from the Roma, Ashkali and Egyptian communities by three federal states to Kosovo had been carried out without adequate risk assessment, despite an edict on deportations. Federal states were responsible for applying the Residence Act, and that edict had been issued by the state of Baden-Württemberg, proscribing deportations to Kosovo in winter because of reduced services there during that period. However, the Federal Government considered the edict to be unnecessary given that the Residence Act took such criteria into account in any case and also provided for case-by-case investigations. The Government could only assume therefore that individual checks had been carried out.

51. **Mr. Corcuera Cabezut** asked how in the light of the *Abichou v. Germany* case, on which the Committee against Torture and the European Court of Human Rights had issued contradictory decisions, the State party interpreted article 37 of the Convention in the event of contradicting decisions by international bodies, bearing in mind the *pro homine* principle of international law.

52. With regard to reparations, he wished to know whether article 24, paragraphs (4) and (5), of the Convention would be directly applicable in the event of an enforced disappearance, regardless of the existence of relevant implementing legislation. Conversely, given that article 25 required implementing legislation in order to be put into effect, he wondered how the State party would interpret that article in order to prevent and punish crimes of enforced disappearances under its criminal law, should those provisions need to be invoked.

53. **Mr. Al-Obaidi** asked for clarification on the declaration made with regard to article 16 of the Convention, as it seemed that it had no bearing on the applicability of the article. He also asked for further information regarding training on the Convention, particularly for the police service, and the authority responsible for providing such training.

54. **Mr. Garcé García y Santos** thanked the delegation for sharing its experiences about its painful past. Upholding the rule of law with participation from civil society was indeed a continuous endeavour.

55. **Mr. López Ortega** expressed his sincere thanks to the State party for providing an example of how to confront historical events.

56. **Ms. Wittling Vogel** (Germany) said that the way in which decisions of different bodies, such as the European Union institutions, United Nations treaty bodies and domestic courts, were assessed was the subject of a lively debate in Germany and in Europe. Germany was working towards a system of complementary cooperation in which the rulings of one international body did not prevail over those of another, within the parameters of the competence of each body. The decision of the European Court of Human Rights on the *Abichou v. Germany* case was effective and binding for Germany, unlike the decision of the Committee against Torture, and settlement was still being sought. The State party nevertheless always aimed to take into account all international treaty body decisions and, in accordance with article 37 of the Convention, gave primacy to provisions that were most conducive to the protection of persons.

57. The provisions of article 24, paragraphs (4) and (5), were covered in German domestic law, and decisions on reparation were based on such legislation. In addition, Germany had a separate legal regime to address past events, in which cases were considered on an individual basis and reparations to victims took the form of financial compensation, return of lost property and rehabilitation. Domestic legislation was

nevertheless interpreted against the backdrop of international law and the Convention; moreover, where the direct applicability of international law was insufficient, as could be the case in respect of article 25, new internal legal provisions could be created.

58. Training on the Convention for police officers was integrated into general police training, for which each Land was responsible. It was also carried out for the Federal Police by the federal authorities. Basic and advanced training for all State authorities, such as the prosecution services, also incorporated instruction on the Convention.

59. **Mr. Behrens** (Germany) said that Germany's declaration regarding article 16 had been made to ensure beyond doubt that the competent authorities took all relevant considerations into account in individual cases of refoulement or extradition to prevent the risk of enforced disappearance. Neither withdrawing nor implementing the declaration would affect the applicability of article 16 of the Convention.

60. **Mr. Corcuera Cabezut** thanked the delegation for engaging in an enlightening discussion which had illustrated how the Convention was interpreted, implemented and enforced in Germany. There had been no reports of enforced disappearances since Germany had become a federal State, despite the lack of an autonomous law against enforced disappearances, owing to the effective operation of the rule of law in the State party. The discussions on sovereignty, human rights law and refugee law, definitions of enforced disappearance, and the interplay between dual criminal legal systems had been especially fruitful and had enabled the Committee to build on its foundations in its effort to prevent enforced disappearances.

61. **Ms. Wittling Vogel** (Germany) expressed her appreciation to the Committee for its interest in the status of the Convention in German legislation. The implementation of the Convention in the courts and through the everyday enforcement of the rule of law was essential to prevent enforced disappearances.

62. **The Chairperson** thanked the members of the delegation for their dedication and their openness regarding past events in their country. He hoped that the Government would take the Committee's suggestions into account, particularly those regarding the definition of enforced disappearance.

The meeting rose at 12.50 p.m.